

REMARKS

Claims 1 – 5 and 9 - 37 are pending. Claims 6 – 8 have been cancelled. No new matter has been added.

In the April 6, 2006 Restriction and Election Requirement, the Examiner stated that the present application included claims directed to three patentably distinct species of the claimed invention: 1) Species I, as illustrated in Figs. 3(A) – 6(B); 2) Species II, as illustrated in Figs. 7 – 8(C); and 2) Species III, as illustrated in Figs. 9(A – C).

The applicant elects, with traverse, the Species I claims, as illustrated in Figs. 3(A) – 6(B). The applicant believes that claims 1 – 5 and 9 - 20 read on Species I of the patent application as the subject matter of the claims is disclosed in Figs. 3(A) – 6(B). Accordingly, the applicant elects to prosecute claims 1 – 5 and 9 - 20.

Applicant respectfully submits that Species I and III can be searched concurrently without undue burden by the Examiner. The applicant believes that claims 21 – 37 read on Species III of the patent application because the subject matter of the claims is disclosed in Figs. 9(A), 9(B), and 9(C).


The Manual of Patent Examining Procedure (MPEP) § 803 states that, “If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.” Accordingly, applicant respectfully submits that claims directed to Species I and III can be searched and examined together to avoid unnecessary delay and expense to the applicant and duplicative examination by the Patent Office. Accordingly, the applicant is requesting that claims 21 – 37 be searched along with elected claims 1 – 5 and 9 – 20.

An action on the merits is respectfully requested.

Respectfully submitted,

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